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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,521	06/01/2001	Marcia M. Miller	1954-310	1318
6449	7590	01/06/2004	EXAMINER	
ROTHWELL, FIGG, ERNST & MANBECK, P.C. 1425 K STREET, N.W. SUITE 800 WASHINGTON, DC 20005			WHISENANT, ETHAN C	
			ART UNIT	PAPER NUMBER
			1634	

DATE MAILED: 01/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

S.M.

S.M.

**Response to Rule 312 Communication****Application No.**

09/870,521

**Applicant(s)**

MILLER ET AL.

**Examiner**

Ethan Whisenant, Ph.D.

**Art Unit**

1634

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

1. ☒ The amendment filed on 16 December 2003 under 37 CFR 1.312 has been considered, and has been:

a) ☒ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

*Please note the attached PTO-1449 which has been considered, initialed, signed and dated.*

Art Unit: 1634

**RESPONSE TO 312 AMENDMENT**

**1.** The applicant's amendment filed under 37 CFR 1.312 has been entered. The applicant's 312 amdt. filed on 16 DEC 03 has been entered. Following the entry of the 312 amdt. **Claim(s) 3-6, 8, 13-14, 15-18 and 26** is/are pending and are deemed allowable for the reason(s) of record. Claim(s) 3-6, 8, 13-14, 15-18 and 26 have now been renumbered as **Claims 1-12** as shown below.

Old #	3	4	5	6	8	13	14	15	16	17	18	26
New #	1	2	3	4	5	6	7	8	9	10	11	12

**CONCLUSION**


**2.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ethan Whisenant, Ph.D. whose telephone number is (703) 308-6567. The examiner can normally be reached Monday-Friday from 8:30AM -5:30PM EST or any time via voice mail. If repeated attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, W. Gary Jones, can be reached at (703) 308-1152.

The fax number for this Examiner is (703) 746-8465. Before faxing any papers please inform the examiner to avoid lost papers. Please note that the faxing of papers must conform with the Notice to Comply published in the Official Gazette, 1096 OG 30 (November 15, 1989). Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 308-0196.

♦Please note that the USPTO is scheduled to relocate to its new home in Alexandria, VA very soon (JAN 04'). As a result, the examiner's telephone and desktop FAX numbers will be changing. The new telephone and desktop FAX numbers for Ethan Whisenant, Ph.D. are/will be as shown below:

New Telephone number : (571) 272-0754

New FAX number : (571) 273-0754.

  
**ETHAN WHISENANT**  
**PRIMARY EXAMINER**

Art Unit 1634